

1 SCOTT N. SCHOOLS (SCBN 9990)
 2 United States Attorney
 3
 4 MARK L. KROTOSKI (CASBN 138549)
 5 Chief, Criminal Division
 6
 7 HANLEY CHEW (CSBN 189985)
 8 Assistant United States Attorney
 9 San Jose Division

10 150 Almaden Boulevard, Suite 900
 11 San Jose, California 95113
 12 Telephone: (408) 535-5060
 13 Facsimile: (408) 535-5066
 14 E-mail: Hanley.Chew@usdoj.gov

15 Attorneys for Plaintiff

16
 17 CLERK, U.S. DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN JOSE

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA
 22 SAN JOSE DIVISION

23 UNITED STATES OF AMERICA,) No. 07-00305 RMW
 24 Plaintiff,)
 25 v.)
 26 TONY XIAOLIANG WANG,)
 27 Defendant.)
 28

hu

[PROPOSED] ORDER EXCLUDING
 TIME FROM JUNE 11, 2007
 THROUGH SEPTEMBER 10, 2007
 FROM CALCULATIONS UNDER THE
 SPEEDY TRIAL ACT (18 U.S.C. § 3161)

29
 30 Defendant Tony Xiaoliang Wang ("defendant") appeared for a status conference before
 31 this Court on June 11, 2007. Edward Hung, Esq. appeared on behalf of the defendant. Assistant
 32 United States Attorney Hanley Chew appeared for the government. The Court scheduled the
 33 next appearance in this matter on September 10, 2007 at 10:00 a.m.

34 At the request of the parties, including the defendant, the Court enters this order
 35 documenting the exclusion of time from June 11, 2007 through September 10, 2007 from
 36 calculations under the Speedy Trial Act, 18 U.S.C. § 3161. The parties, including the defendant,
 37 agree and the Court finds and holds as follows:

38
 39 [PROPOSED] ORDER EXCLUDING TIME
 40 U.S. v. WANG, NO: CR07-00305 RMW

FILED

JUN 27 2007

1 1. The defendant understands and agrees to the exclusion of time for the period from June
 2 11, 2007 through September 10, 2007 from calculations under the Speedy Trial Act, 18 U.S.C.
 3 § 3161 based upon the need for the defense counsel to investigate further the facts of the present
 4 case and effectively prepare for trial. The government has produced over a thousand pages of
 5 discovery in this matter and defense and defendant need additional time to review that discovery.

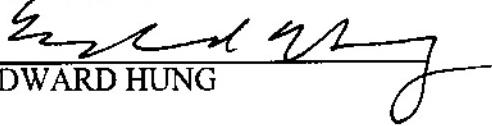
6 2. The attorney for defendant joins in the request to exclude time under the Speedy Trial
 7 Act, 18 U.S.C. § 3161, for the above reasons, and believes the exclusion of time is necessary for
 8 effective preparation of the defense; believes the exclusion is in the defendant's best interests;
 9 and further agrees that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be
 10 from June 11, 2007 through September 10, 2007.

11 Given these circumstances, the Court finds that the ends of justice served by excluding
 12 the period from June 11, 2007 through September 10, 2007 from calculations under the Speedy
 13 Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv) outweigh the best interests of the public and the
 14 defendant in a speedy trial. Accordingly, the Court further orders that (1) the next appearance
 15 date before this Court is scheduled for September 10, 2007 at 10:00 a.m.; and (2) the time from
 16 June 11, 2007 through September 10, 2007 is excluded from calculations under the Speedy Trial
 17 Act, 18 U.S.C. § 3161.

18 IT IS SO STIPULATED.

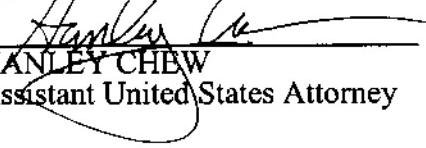
19 DATED: 6/9/07

WONG & ASSOCIATES


EDWARD HUNG

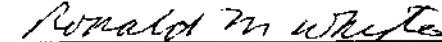
22 DATED: 6/9/07

SCOTT N. SCHOOLS
United States Attorney


HANLEY CHEW
Assistant United States Attorney

26 IT IS SO ORDERED.

27 DATED: 6/11/07


THE HONORABLE RONALD WHYTE
United States District Court Judge